

III. REMARKS

Claims 1-25 are pending in this application. By this Response, no claims have been amended, and no claims have been cancelled. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications.

Reconsideration in view of the following remarks is respectfully requested.

Entry of this Response is proper under 37 C.F.R. § 1.116(b) because the Response: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Response.

In the Office Action, claims 1-9, 11-12, and 14-25 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Eruhimov et al. (US Pat. Pub. 2004/0215591, hereinafter, “Eruhimov”); and claims 10 and 13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eruhimov in view of Schacher (US Pat. 6,002,402, hereinafter, “Schacher”).

With respect to independent claims 1, 11, 14, and 20, Applicants respectfully submit that Eruhimov (*supra*) is not available as a reference against the claimed invention. With this response, Applicants submit a declaration under 37 C.F.R. § 1.131, declaring that the present invention was conceived of prior to August 19, 2002. Applicants further declare that following conception, they diligently and actively assisted in planning, preparing, reviewing, and filing the instant application. Therefore, the claimed invention antedates Eruhimov, whose effective date is April 25, 2003. Accordingly, Applicants respectfully request the withdrawal of the rejections of claims 1, 11, 14, and 20 under § 102(e).

With respect to dependent claims 2-10, 12-13, 15-19, and 21-25, Applicants respectfully submit that these claims are allowable for reasons stated above relative to independent claims 1,

11, 14, and 20, as well as for their own additional claimed subject matter. With additional respect to claims 10 and 13, Applicants submit that Schacher alone does not teach or suggest each and every feature of the invention of claims 10 and 13, as argued by Applicants in the Amendment of February 14, 2008, and as admitted by the Office in the Office Action of May 29, 2008, wherein the Office relies on Eruhimov in addition to Schacher (p. 8) to allegedly teach the features of the claimed invention. Accordingly, in view of at least these arguments, Applicants respectfully request that the Office withdraw the rejections under 35 U.S.C. §§ 102(e) and 103(a) to dependent claims 2-10, 12-13, 15-19, and 21-25.

IV. CONCLUSION

Applicants respectfully submit that the Application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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Date: July 10, 2008

(JMT)

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